

**Navy Hotline Investigation Report**  
**as of**  
**12 November 2009**

**1. Investigator and Identifying Information and Location of Working Papers**

a. Investigator and Identifying Information

(b)(6), (b)(7)c

b. Location of working papers  
Naval Postgraduate School, Command Evaluation Office 1  
University Circle, Monterey CA 93943

**2. Background and Summary**

a. Hotline Control #s and Origin of Complaint  
NIGHTS #200900833(B) and NPS FY2009-15

b. Summary of Complaints. The complaints emerged during the first investigation of (b)(6), (b)(7)c. These are allegations of abuse of authority/position, ethics violations, travel fraud, misuse of official time/position, and reprisal against civilian government employee.

c. Additional Information. (b)(6), (b)(7)c actions do not reflect the appropriate behavior or performance expected of senior level management at NPS. Most of the witnesses have indicated that the work environment had become very negatively charged due to (b)(6), (b)(7)c critical/disapproving tone in emails, meetings, phone calls, and publicly firing chairs in the Graduate School of Engineering and Applied Sciences without cause according to witnesses. Witnesses stated that (b)(6), (b)(7)c arbitrarily and capriciously exercised power that has adversely affected the rights of staff and faculty by his careless and capricious conduct. At no time prior to the attempted dismissal of (b)(6), (b)(7)c had Human Resources Office been contacted by either (b)(6), (b)(7)c or any of the witnesses for mediation of issues. Witnesses stated this was due to the possibility of reprisal by (b)(6), (b)(7)c. Witnesses stated that (b)(6), (b)(7)c lacked straightforwardness necessary to promote confidence, that (b)(6), (b)(7)c lacked candor thus leaving GSEAS staff, and faculty feeling betrayed when information was withheld. Witnesses stated that (b)(6), (b)(7)c

(b)(6), (b)(7)c lacked integrity by not performing his duties as (b)(6), (b)(7)c with impartiality. During the interview with (b)(6), (b)(7)c, he did not accept accountability and responsibility for his actions or lack of actions and the resulting consequences. Witnesses stated that public confidence has been lost due to (b)(6), (b)(7)c appearance of impropriety. Witnesses did not feel they had been treated fairly, equally, or with tolerance. Witnesses stated that most of the time they were treated uncaringly and as a means to an end by (b)(6), (b)(7)c lack of respect, treating without dignity, and lacking in honoring privacy for GSEAS staff and faculty has lead to chaos across NPS. Witnesses state that (b)(6), (b)(7)c lacks responsible citizenship in using discretion in the performance of his official duties within the limits of his authority leading to a lack of democratic principles. It seems to be the consensus of witnesses from GSEAS that (b)(6), (b)(7)c is a difficult person to work with when pointing out problems.

(1) (b)(6), (b)(7)c allowed two (2) visiting U of Wyoming students use of NPS administrative staff daily for printing documents, emailing, copying, etc. (b)(6), (b)(7)c stated that they were allowed to do this at U of Wyoming and had sent emails to these students informing them of what they needed to do while at NPS. This was confirmed by all four (4) of the administrative staff.

(2) (b)(6), (b)(7)c fired the (b)(6), (b)(7)c in November 2008 and again in January 2009 without authority, which is why (b)(6), (b)(7)c would not step down and was confirmed by witness emails and statements. (b)(6), (b)(7)c stated that a draft document gave him the authority to fire whomever he wanted and that was the prerogative of a (b)(6), (b)(7)c stated that (b)(6), (b)(7)c would not submit publication advertisements for a new chair as directed which was his reason for firing him. (b)(6), (b)(7)c was informed by email from (b)(6), (b)(7)c on 15 April that the document was a draft and not to be implemented until final approval by committee.

(3) (b)(6), (b)(7)c dismissed the (b)(6), (b)(7)c on or about 10 June 2009, without authority. (b)(6), (b)(7)c was subjected to reprisal action for cooperating with this investigation. (b)(6), (b)(7)c stated that the decision to remove (b)(6), (b)(7)c had already been made at the mezzanine level. (b)(6), (b)(7)c was not notified that his performance was unacceptable in one or more critical elements, which would have warranted action. (b)(6), (b)(7)c stated that a draft document (Memorandum

of School Deans' Authorities and Responsibilities (dtd 31 Jan 08) gave him the authority to fire whomever he wanted and that was the prerogative of a Dean. (b)(6), (b)(7)c was informed by email from (b)(6), (b)(7)c on 15 April 09 that the document was a draft and not to be implemented until final approval by committee.

(4) Communications (verbal and email) from (b)(6), (b)(7)c unclear and unprofessional to staff and faculty on several occasions on or about August 2008 - June 2009. This was confirmed and corroborated by witness statements. While improper at the senior management performance level, NPS Instruction 12430.2G covers performance management.

(5) Use of unprofessional language towards the GSEAS faculty on several occasions on or about August 2008-June 2009. This was confirmed and corroborated by witness statements. While improper at the senior management performance level, NPS Instruction 12430.2G covers performance management.

(6) During this investigation, (b)(6), (b)(7)c solicited the faculty at NPS for support by email thus putting the recipients of that email in a very tenuous situation. Human Resources Office as well as the (b)(6), (b)(7)c directed him to cease and desist in this campaign, as it was highly improper. This was confirmed and corroborated by witness statements.

(7) (b)(6), (b)(7)c approved expenditure control page indicates there were Graduate students costs for individuals not receiving benefits. It also states there are costs for support labor, which would be NPS faculty, students, employees, or contractors. These graduate students used were not NPS enrolled students but were enrolled at University of Wyoming. They were each receiving stipends from University of Wyoming and were also provided Invitational Travel Orders to NPS for 6 months. (b)(6), (b)(7)c has not submitted changes to the Research office to account for the use of these students from University of Wyoming on the reimbursable proposal. At this time, there are no NPS faculty, students, employees, or contractors involved with this research project other than (b)(6), (b)(7)c (b)(6), (b)(7)c provided no notification to the Research Sponsor of these changes either. (b)(6), (b)(7)c stated that it would take too much time to find new junior research associates (NPS or contractor) with the right interest and background in a timely manner and training them up to a level to be helpful would take a least a few years.

(d) Summary of Outcome of Investigation

(1) The witnesses alleged that (b)(6), (b)(7)c misused his authority when he requested subordinates in the office to complete travel orders for his non-official purposes and misused official time for said travel. (b)(6), (b)(7)c misused his authority for creating invitational travel orders for PhD students from University of Wyoming. After conducting the preliminary analysis of these allegations it was determined that they were accurate.

(2) Based on the evidence, the investigation concluded that (b)(6), (b)(7)c improperly used his subordinates official time to perform his personal tasks in violation of DOD 5500.7-R Joint Ethics Regulation, 5 CFR, Subpart G. Misuse of Position, 2635.705(b), Use of Official time.

**3. Allegation #1 Time/Attendance abuse:** On or about 29 Aug-1 Sep 08 (b)(6), (b)(7)c travelled to Brown University and University of Wyoming for non official purposes on or about 17-21 Sep 08 and in violation of NPS Instruction 7410.3S and 7410.4D. (SUBSTANTIATED)

a. Facts

(1) (b)(6), (b)(7)c chose not to take leave for personal travel but instead used no-cost TDY orders to take his (b)(6), (b)(7)c to Brown University. The use on no-cost TDY was discussed with the Admin assistant who advised against its use, as did the (b)(6), (b)(7)c. The (b)(6), (b)(7)c secretary was also informed of this misuse of no-cost TDY for non-government business. (b)(6), (b)(7)c stated that he had hoped to meet the Math folks while he was there enrolling his (b)(6), (b)(7)c

(2) (b)(6), (b)(7)c travelled to University of Wyoming to visit Ph.D. students as a professional commitment using indirect funds on 17-21 Sep 08 at a cost of \$2618.00. (b)(6), (b)(7)c had not received research funding at NPS for travel, the University of Wyoming student's research, thesis/dissertation, or papers. (b)(6), (b)(7)c directed his administrative staff to use an interim account that had not received funding from the sponsor and he was he told that was not allowable. He then directed the use of the (b)(6), (b)(7)c indirect account for his travel, again being advised that it also was not a proper use of the funds either.

b. Analysis/Discussion/Conclusion: Based upon the preponderance of the evidence this allegation is substantiated.

(1) (b)(6), (b)(7)c has not corrected his time and attendance record to reflect leave rather than no cost TDY for his trip to Brown University for non-offical travel. This correction must be made.

(2) (b)(6), (b)(7)c travelled to University of Wyoming on official travel for his professional commitment to PhD students at University of Wyoming when there was no funding for it nor was there collaborative research established between NPS and University of Wyoming. (b)(6), (b)(7)c stated in his interview that he was broke from paying two mortgages and used his hiring bonus to alleviate that issue which is why he did not use it for travel to University of Wyoming. When there is a professional commitment such as this, the Professor takes leave from his current position to mentor the PhD students from the previous employment. Across the base, nearly 100% of faculty interviewed concurred that when there is a professional commitment to former students, funding is normally provided by the previous employer, personally funded through a negotiated hiring bonus, paid by the former students, or if there is a collaborative research project between the former employer and the current employer. In paraphrasing DODFMR VOL 11A Chap 1, the use of indirect funding is the cost of doing business at that site receiving the indirect funding (NPS) and not somewhere else (University of Wyoming). The DOD and DON do not consider indirect funds discretionary. At civilian universities, indirect funds may be considered discretionary.

c. Recommend that (b)(6), (b)(7)c chain of command hold him accountable.

**4. Allegation #2** misuse of authority/position: on or about September 2008- January 2009 (b)(6), (b)(7)c misused his position by having subordinates create travel documents and arrange travel for non-governmental travel in violation of 5 CFR 2635.705(b). (SUBSTANTIATED)

a. Facts

(1) (b)(6), (b)(7)c improperly directed his staff to prepare official travel orders at NPS expense for his professional commitment to PhD students at University of Wyoming

b. Analysis/Discussion/Conclusion: Based upon the preponderance of the evidence this allegation is substantiated.

(1) (b)(6), (b)(7)c demanded staff complete tasks they knew were in violation of Navy instruction/regulation and against their advice to him. Staff stated they felt they had no other choice. The staff were directed to prepare official travel for (b)(6), (b)(7)c to travel to University of Wyoming and for the remaining three PhD students there to travel to NPS. Dr Sritharan secured benefit to which he was not entitled from NPS for his professional commitment to the former PhD students at the University of Wyoming. There was no available Sponsored Research funding at NPS for this commitment by (b)(6), (b)(7)c to these former PhD students.

c. Recommend that (b)(6), (b)(7)c chain of command hold him accountable.

## 5. Documents & Interviews

(a) Documents reviewed.

- (1) Travel authorizations and vouchers from DTs
- (2) Master time history
- (3) Funding documents
- (4) Emails
- (5) Research proposal
- (6) Execution report for Indirect Cost Account
- (7) Expedia flight reservations
- (8) NPS Instructions
- (9) NPS Faculty Handbook
- (10) NPS Academic Council Policy
- (11) SF 1164's
- (12) SF 1034's
- (13) USC
- (14) CFR
- (15) DODFMR
- (16) Performance Appraisal of Civilian Leaders
- (17) NPS PYTHON system

- (18) Committee Report on SE dtd 30 January 2009
- (19) Employees Guide to the Standards of Conduct

(b) Interviews conducted. (All interviews were conducted in person). All personnel work at the Naval Postgraduate School.

(1) Requested confidentiality due to potential acts of reprisal.

(2) Requested confidentiality due to potential acts of reprisal

(3) Requested confidentiality due to potential acts of reprisal

(4) Requested confidentiality due to potential acts of reprisal

(5) (b)(6), (b)(7)c

(6) Requested confidentiality due to potential acts of reprisal

(7) Requested confidentiality due to potential acts of reprisal.

(8) (b)(6), (b)(7)c

(9) Requested confidentiality due to potential acts of reprisal.

(10) Requested confidentiality due to potential acts of reprisal.

(11) Requested confidentiality due to potential acts of reprisal.

(12) Requested confidentiality due to potential acts of reprisal.

(13) Requested confidentiality due to potential acts of reprisal.

(14) Requested confidentiality due to potential acts of reprisal.

(15) Requested confidentiality due to potential acts of reprisal.

(16) Requested confidentiality due to potential acts of reprisal.

(17) Requested confidentiality due to potential acts of reprisal.

(18) Requested confidentiality due to potential acts of reprisal.

(19) Requested confidentiality due to potential acts of reprisal.

(20) Requested confidentiality due to potential acts of reprisal.

(21) Requested confidentiality due to potential acts of reprisal.

(22) Requested confidentiality due to potential acts of reprisal.

(23) (b)(6), (b)(7)c  
(b)(6), (b)(7)c

(24) (b)(6), (b)(7)c  
(b)(6), (b)(7)c

(25) Requested confidentiality due to potential acts of reprisal.

(26) Requested confidentiality due to potential acts of reprisal.

(27) (b)(6), (b)(7)c  
(b)(6), (b)(7)c

(28) Requested confidentiality due to potential acts of reprisal.

(29) Requested confidentiality due to potential acts of reprisal.

(30) Requested confidentiality due to potential acts of reprisal.

(31) Requested confidentiality due to potential acts of reprisal.

(32) Requested confidentiality due to potential acts of reprisal.

(33) Requested confidentiality due to potential acts of reprisal.

(34) (b)(6), (b)(7)c  
(35)

(b)(6), (b)(7)c

(36) (b)(6), (b)(7)c

(b)(6), (b)(7)c

(b)(6), (b)(7)c